

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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THE DEL-NAT TIRE CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 2:09-cv-02457-JPM-tmp
	)	
A TO Z TIRE & BATTERY, INC.,	)	
	)	
Defendant.	)	

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND ORDER DENYING  
PLAINTIFF'S MOTION FOR SANCTIONS**

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Pending before the Court is the Report and Recommendation of Magistrate Judge Tu M. Pham, submitted May 17, 2010 (Docket Entry ("D.E.") 57), recommending that the Court deny Plaintiff's Motion to Strike Affirmative Defenses (D.E. 6). No objections to the Report and Recommendation have been filed, and the time for filing objections has expired.

Upon de novo review of the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation in its entirety, and DENIES Plaintiff's Motion for Sanctions.

So ORDERED this 2nd day of June, 2010.

/s/ JON PHIPPS McCALLA  
CHIEF UNITED STATES DISTRICT JUDGE